

PROB 12C  
(7/93)

## UNITED STATES DISTRICT COURT

FILED

for

2018 SEP 18 PM 2:13

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Moises Librado-Valencia Case Number: DR-17-CR-00428(1)Name of Sentencing Judicial Officer: Honorable Alia Moses, United States District JudgeDate of Original Sentence: January 25, 2018Original Offense: 8 U.S.C. § 1324 – Conspiracy to Transport Illegal AliensOriginal Sentence: 10 months imprisonment, 3 years supervised releaseType of Supervision: Supervised Release Date Supervision Commenced: February 2, 2018Assistant U.S. Attorney: Matthew Harry Watters Defense Attorney: Edward A. Bartolomei (Retained)

## PREVIOUS COURT ACTION

None.

## PETITIONING THE COURT

- ☒ The issuance of a warrant  
☐ The issuance of a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u>   |
|-------------------------|--|
| 1.                      | <b>Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime.</b> |

**Standard Condition No. 17: If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be a non-reporting term of probation or supervised release. The defendant shall not legally [sic] reenter the United States. If the defendant is released from confinement or not deported, or lawfully re-enters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office, or as ordered by the Court.**

On or about August 26, 2018, Moises Librado-Valencia, an illegal alien and citizen of Mexico, failed to enter the United States at a designated border crossing point and did not report said arrival and present himself and all articles in his possession for inspection in violation of 19 U.S.C. § 1459.

Moises Librado-Valencia  
 DR-17-CR-00428-AM(1)  
 Petition for Warrant or Summons for Offender Under Supervision

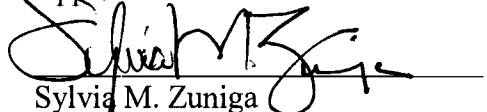
On or about August 26, 2018, Moises Librado-Valencia, an illegal alien and citizen of Mexico, was found in the United States having been previously denied admission, excluded, deported, or removed from the United States on or about March 22, 2018, and the offender did not receive the consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, the successor for this function pursuant to 6 U.S.C. §§ 202(4), & 557, to reapply for admission, being voluntarily in the United States in violation of 8 U.S.C. § 1326(a) & (b).

On March 21, 2018, the offender was ordered removed from the United States, by an Immigration Judge, and on March 22, 2018, he was deported from the United States, to Mexico, through Laredo, Texas. According to the arrest report, on August 26, 2018, he was encountered by the United States Border Patrol near Comstock, Texas. When questioned, the offender stated that he was a citizen of Mexico, and admitted to being illegally present in the United States and failed to report to immigration officials at an official Port of Entry. He was placed under arrest and transported to the Comstock Border Patrol Station for further processing. A Complaint was filed under Docket Number DR:18-M-07853, and these charges remain pending.

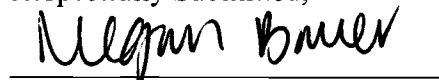
The term of supervision should be

- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for \_\_\_\_\_ years for a total term of \_\_\_\_\_ years
- ☐ The conditions of supervision should be modified as follows:

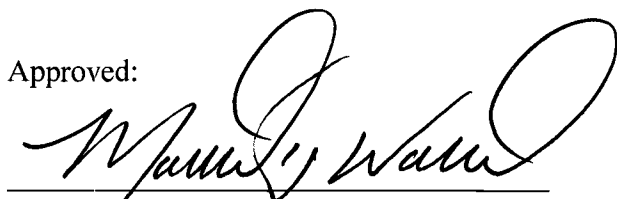
Approved:

  
 Sylvia M. Zuniga  
 Supervising U.S. Probation Officer

Respectfully Submitted,

  
 Megan Bauer  
 United States Probation Officer  
 Date: September 11, 2018  
 Telephone #: 830-703-2093, ext. 6146

Approved:

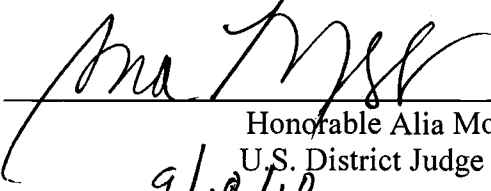
  
 Matthew H. Watters  
 Supervisory Assistant U.S. Attorney

cc: Victor Calderon  
 Assistant Deputy Chief U.S. Probation Officer

Moises Librado-Valencia  
DR-17-CR-00428-AM(1)  
Petition for Warrant or Summons for Offender Under Supervision

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$50,000 cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other \_\_\_\_\_

  
\_\_\_\_\_  
Honorable Alia Moses  
U.S. District Judge  
9/18/18  
\_\_\_\_\_  
Date